

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

AMERICAN HEALTH CARE ASSOCIATION; )  
LEADING AGE; TEXAS HEALTH CARE )  
ASSOCIATION; ARBROOK PLAZA; )  
BOOKER HOSPITAL DISTRICT; HARBOR )  
LAKES NURSING & REHABILITATION )  
CENTER, )

*Plaintiffs,*

STATE OF TEXAS,

*Consolidated  
Plaintiff,*

v.

XAVIER BECERRA, in his official capacity as )  
Secretary of the United States Department of )  
Health and Human Services; UNITED STATES )  
DEPARTMENT OF HEALTH AND HUMAN )  
SERVICES; CHIQUITA BROOKS-LASURE, )  
in her official capacity as Administrator of the )  
Centers for Medicare & Medicaid Services; )  
CENTERS FOR MEDICARE & MEDICAID )  
SERVICES, )

*Defendants.*

Case Nos. 2:24-cv-00114-Z-BR (lead case)  
2:24-cv-00171 (consolidated case)

**MOTION FOR LEAVE TO PROCEED WITHOUT LOCAL COUNSEL**

Pursuant to Local Rule 83.10, prospective *amicus curiae* the Service Employees International Union (“*amicus*”) respectfully seeks leave to proceed without local counsel.

1. *Amicus* is a union of approximately two million working people in the United States, Canada, and Puerto Rico employed in healthcare, property services, and public services. *Amicus* is the largest union of nursing home and long-term care providers in the United States and has advocated for years for improved nursing home staffing standards that allow its members

to deliver quality care to their residents. *Amicus* and its members have a strong interest in supporting CMS's nursing home minimum staffing rule at issue in this case because of its positive effects on nursing home residents, nursing home staff, and the quality of resident care. *Amicus* therefore intends to seek this Court's leave to file an *amicus* brief in support of Defendants.

2. *Amicus* respectfully requests that the Court grant permission to proceed without local counsel. *Amicus* intends only to file a consented-to motion for leave to file an *amicus* brief, along with the accompanying brief. Accordingly, *amicus* expects that the Court will decide the motion on the papers and without a hearing. If the Court requests that *amicus* attend any hearings or otherwise participate beyond the intended *amicus* brief, *amicus* will engage local counsel and participate as requested by the Court.

3. *Amicus's* counsel have reviewed the Local Rules for the Northern District of Texas and this Court's procedures.

4. Plaintiffs and Defendants do not oppose this motion.

**CONCLUSION**

The Court should grant prospective *amicus* leave to proceed without local counsel.

Dated: November 14, 2024

Respectfully Submitted,

/s/ Steven Ury

Steven K. Ury\*

Monica Jin-Joo Wilk\*

Mac D. McMechan\*

Service Employees International Union

1800 Massachusetts Avenue, NW

Washington, DC 20036

(213) 440-4547

steven.ury@seiu.org

\* *Pro hac vice* pending

**CERTIFICATE OF CONFERENCE**

I hereby certify that I conferred with counsel for Plaintiffs and Defendants, and that no counsel opposed the filing of the accompanying motion.

/s/ Monica Jin-Joo Wilk  
*Counsel for Amicus Curiae*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 14, 2024, I electronically filed this document with the Clerk for the U.S. District Court for the Northern District of Texas through the ECF system. Participants in the case who are registered ECF users will be served through the ECF system.

/s/ Steven Ury  
*Counsel for Amicus Curiae*